IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO. 623 OF 2004

The Commissioner of Income Tax,
Mumbai. ... Appellant.

V/s.

M/s.Sigma Paints Ltd., Mumbai. ... Respondent.

A.S. Rao for the appellant.

CORAM : V.C.DAGA AND J.P.DEVADHAR, JJ.

DATED : 17th July 2006.

P.C. :

. The learned counsel for the appellant fairly stated that the question sought to be raised in this appeal is squarely covered by the judgment of this Court in the case of **Caddel Waving Mill Co.P.Ltd. v. C.I.T.**, (2001) 249 ITR 265 (Bom.). He, therefore, seeks permission to withdraw this appeal.

. Accordingly, appeal stands dismissed as withdrawn with no order as to costs.

. Needless to mention that the appellant-Revenue is entitled to refund of court fee as per law.

(J.P.DEVADHAR, J.) **(V.C.DAGA J.)**